

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

**STEPHEN MELISE,**  
*Plaintiff*

v.

**PATRICIA COYNE-FAGUE**, in her official capacity as Director of the Rhode Island Department of Corrections; *ET AL.*,  
*Defendants*

C.A. No. 1:17-cv-00490-MSM-PAS

**JURY TRIAL DEMANDED**

**OBJECTION TO PLAINTIFF'S ORAL MOTION TO COMPEL**

NOW COME Defendants the State of Rhode Island, Department of Corrections (the "State" or "RIDOC"); Ashbel T. Wall, individually and in his official capacity as former-Director of RIDOC ("A.T. Wall");<sup>1</sup> and Kerri McCaughey, individually and in her official capacity as Deputy Warden of RIDOC ("McCaughey") (collectively, "State Defendants") and hereby object to Plaintiff Stephen Melise's Oral Motion to Compel, submitted to the Court during a Telephonic Conference held on January 29, 2020. A Memorandum of Law is attached hereto in opposition to Plaintiff's Motion.

WHEREFORE, State Defendants respectfully request this Honorable Court deny Plaintiff's Oral Motion to Compel.

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Patricia Coyne-Fague, in her official capacity as Director of the Rhode Island Department of Corrections, is automatically substituted in place of former-Director Ashbel T. Wall in his official capacity, as Defendant A.T. Wall retired from RIDOC in January 2018.

Respectfully Submitted,

STATE Defendants,  
By:

PETER F. NERONHA  
ATTORNEY GENERAL

/s/ Justin J. Sullivan

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that the within document has been electronically filed with the Court through the ECF system on Friday, February 07, 2020 and that it is available for viewing and downloading. I also caused a true and accurate copy of the within document to be served through the ECF system on the following parties and/or counsel of record:

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/s/ Justin J. Sullivan